

To: 'Retallack, Alexia@Wildlife'[Alexia.Retallack@wildlife.ca.gov]; Crossland, Mark@Wildlife[Mark.Crossland@wildlife.ca.gov]; 'Williams, Jennifer F CAPT'[Jennifer.F.Williams@uscg.mil]; Waldon, MARGARET[Waldon.Margaret@epa.gov]; pdhodgins@paalp.com[pdhodgins@paalp.com]
Cc: Rockabrand, Ryan[rrockabrand@sbcoem.org]
From: Troy, Robert
Sent: Wed 7/8/2015 12:18:17 AM
Subject: RE: Media release for sampling activity

Hi all,

Given that we've not yet received an updated OOSA plan, are we still planning sending people out tomorrow? We're going to need some time to review before signing....

-----Original Message-----

From: Retallack, Alexia@Wildlife [mailto:Alexia.Retallack@wildlife.ca.gov]
Sent: Tuesday, July 7, 2015 3:54 PM
To: Crossland, Mark@Wildlife; Troy, Robert; 'Williams, Jennifer F CAPT'; waldon.margaret@epa.gov; pdhodgins@paalp.com
Cc: Rockabrand, Ryan
Subject: RE: Media release for sampling activity

I didn't think any of these were evidence.

I thought they were all response samples to help guide monitoring and possible reassessment.

If I read this right, then we need a disclaimer for the participants and the media that says "any photo or video documentation taken or statements made may become discoverable in the event a sample returns as a positive for Refugio oil." Then we have a signature line and a contact number?

Trying to consider how to handle this aspect responsibly.

-----Original Message-----

From: Crossland, Mark@Wildlife
Sent: Tuesday, July 07, 2015 3:50 PM
To: Retallack, Alexia@Wildlife; Troy, Robert; 'Williams, Jennifer F CAPT'; waldon.margaret@epa.gov; pdhodgins@paalp.com
Cc: Rockabrand, Ryan
Subject: RE: Media release for sampling activity

Hi Alexia -

The only caveat I can think of regarding any media presence at the sampling location has to do with evidence collection practice/policy. Since there may be a nexus to possible prosecution in the event a sample is not natural seep, (i.e., another potential point source, Refugio oil, etc.) then any witness observations including any photos or video, etc. is discoverable. So, there is a direct connection to possible court subpoenas to everyone involved regarding chain of custody as well as motions to suppress the evidence on the part of any legal defense actions.

Wanted to make sure everyone understands this critical component to sampling. Thank you.

Mark

-----Original Message-----

From: Retallack, Alexia@Wildlife
Sent: Tuesday, July 07, 2015 2:43 PM

To: Troy, Robert; 'Williams, Jennifer F CAPT'; waldon.margaret@epa.gov; Crossland, Mark@Wildlife; pdhodgins@paalp.com
Cc: Rockabrand, Ryan
Subject: RE: Media release for sampling activity

Thank you.

-----Original Message-----

From: Troy, Robert [mailto:rtroy@sbcoem.org]
Sent: Tuesday, July 07, 2015 2:42 PM
To: 'Williams, Jennifer F CAPT'; Retallack, Alexia@Wildlife; waldon.margaret@epa.gov; Crossland, Mark@Wildlife; pdhodgins@paalp.com
Cc: Rockabrand, Ryan
Subject: RE: Media release for sampling activity

I agree with changing the workding. I'd also be happy with "beaches that may have been affected," so that we don't have to explain why there are only negative results in any particular area...

-----Original Message-----

From: Williams, Jennifer F CAPT [mailto:Jennifer.F.Williams@uscg.mil]
Sent: Tuesday, July 7, 2015 2:36 PM
To: Retallack, Alexia@Wildlife; Troy, Robert; waldon.margaret@epa.gov; Crossland, Mark@Wildlife; pdhodgins@paalp.com
Cc: Rockabrand, Ryan
Subject: RE: Media release for sampling activity

Alexia,
Request an edit to the draft PR. (I used track changes to the draft attached).

Specifically, with respect to "beaches affected by the Refugio oil spill incident", I think that needs to be reworded to "beaches believed to have been affected". I think this is important, because, despite public perception, we have no evidence that supports the Orange County beaches were affected by Refugio Oil.

I also had one other very minor edit.

Thanks Alexia, I also have no objection to the plan if we follow what was discussed during our telecom.

v/r
CAPT Williams

-----Original Message-----

From: Retallack, Alexia@Wildlife [mailto:Alexia.Retallack@wildlife.ca.gov]
Sent: Tuesday, July 07, 2015 2:24 PM
To: Troy, Robert; waldon.margaret@epa.gov; Crossland, Mark@Wildlife; Williams, Jennifer F CAPT; pdhodgins@paalp.com
Cc: Rockabrand, Ryan
Subject: Media release for sampling activity
Importance: High

UC,

I have had EU review, and USCG D11 review in combination with the media escort team. I think we have something that will work (this is version 1).

I understand that exact agency participating for testing samples is still evolving, but the release focuses upon the activity enough that I don't think the final outcome of that decision will affect this.

Please advise of changes or concerns.

Thank you so much for the help!

Alexia